

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

June 15, 2004

IN RE:

PETITION OF BELL SOUTH  
TELECOMMUNICATIONS, INC. FOR EXEMPTION OF  
CERTAIN SERVICES.

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DOCKET NO.  
03-00391

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PRE-HEARING ORDER

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On June 16, 2003 BellSouth Telecommunications, Inc. ("BellSouth") and Citizens Communications, Inc. (collectively "the Petitioners") filed a *Petition for Exemption of Certain Services* (the "*Petition*") in this docket. The Petitioners request exemption from regulation of their intraLATA toll service and primary rate ISDN service.

Petitions to intervene were filed by AT&T Communications of the South Central States, LLC on June 27, 2003; the Southeastern Competitive Carriers Association on September 5, 2003; and Time Warner Telecom of the MidSouth, LLC on September 8, 2003. These petitions were granted by the *Order Granting Petitions to Intervene and Requesting Proposed Procedural Schedules* issued on December 11, 2003.

The Consumer Advocate and Protection Division of the Office of the Attorney General filed a petition to intervene on January 2, 2004. This petition was granted by the *Order Granting Petition to Intervene and Adopting Procedural Schedule* issued on January 8, 2004.

On February 13, 2004 BellSouth Telecommunications, Inc. ("BellSouth") filed *BellSouth's Proposed Procedural Schedule*. No party filed an objection to *BellSouth's Proposed Procedural*

*Schedule* and the same was adopted pursuant to the *Order Amending Procedural Schedule* issued February 23, 2004.

A Notice of Hearing was issued on June 7, 2004 confirming that a hearing in this matter has been scheduled for **Tuesday, June 22, 2004 beginning at 9:00 a.m.** in the Hearing Room on the Ground Floor at 460 James Robertson Parkway, Nashville, Tennessee.

The *Order Amending Procedural Schedule* required all parties to file direct testimony on or before May 28, 2004 and rebuttal testimony on or before June 11, 2004.<sup>1</sup> On May 28, 2004 BellSouth filed the direct testimony of Kathy K. Blake. No other party has filed direct testimony or requested an extension of the time for filing direct testimony. No party has filed rebuttal testimony or requested an extension of the time for filing rebuttal testimony.


The parties have been afforded the opportunity to present witnesses in support of their positions in this docket. Only BellSouth has elected to do so. The Hearing Officer finds that this matter is ready for hearing on **Tuesday, June 22, 2004 at 9:00 a.m.**

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<sup>1</sup> *Order Amending Procedural Schedule*, p 7 (February 23, 2004)

**IT IS THEREFORE ORDERED THAT:**

The voting panel assigned to this docket will receive live testimony from Kathy K. Blake at the hearing of this matter on **Tuesday, June 22, 2004 at 9:00 a.m.** No other direct testimony will be permitted except upon motion showing good cause for not filing such direct testimony on or before May 28, 2004. Likewise, except upon motion showing good cause for not filing rebuttal testimony on or before June 11, 2004, rebuttal testimony will be received at the hearing of this matter only to the extent that it responds to direct testimony exceeding the scope of pre-filed testimony.

  
Randal L. Gilliam, Hearing Officer